

TENNESSEE ALCOHOLIC BEVERAGE COMMISSION

**Agenda
October 28, 2014
1:30 pm**

1. Approval of September, 2014 Commission Meeting Minutes

2. RETAIL

A. New Business

**1. JJ'S LIQUOR STORE
CHATTANOOGA, TENNESSEE (HAMILTON COUNTY)**

Applicant: JJ Spirits, LLC
Member(s): Mehul K. Patel

Current: JJ's Liquor, LLC
Member(s): Vincent Campbell, 50%; Jeannine Campbell, 50%

Before the Commission is a request for licensing of the establishment located at 4204 Rossville Blvd. in Chattanooga, Tennessee. Applicant, LLC is purchasing the business from JJ's Liquor, LLC, for \$125,000.¹ Mr. Mehul K. Patel is investing \$125,000 into the business. Approximately half of the funds to be invested are personal funds, with the remaining half to be obtained through a bank loan. The Applicant will lease the premises from TRIDENTMDMZ, G.P., for an initial term of five years for \$7,000 per month. Mr. Patel owns 25% of TRIDENTMDMZ, G.P. The TABC staff recommends approval of this application, conditioned upon receipt of the following:

a. License Fee

**2. UNICOI WINES & SPIRITS
UNICOI, TENNESSEE (UNICOI COUNTY)**

Applicant: Unicoi Wine & Spirits, LLC

Member(s): Stacey L. Collins 50%
David L. Edwards Jr. 50%

Current: Stacey L. Collins 100%

Before the Commission is a request for a transfer of ownership in the retail establishment located at 100 Rocky Bottom Drive, Suite 5, in Unicoi, Tennessee 37692. Applicant members are siblings, and no monies will be exchanged for the transfer of stock ownership. The TABC staff recommends approval of this request.

**3. ROYAL LIQUORS
JACKSON, TENNESSEE (MADISON COUNTY)**

Applicant: Whitemarsh, Inc.

¹ In accordance with Tennessee law, Sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.

Proposed Stockholder(s):	Donna Frankland, President	50%
	Robert E. Frankland III	50%
	Leila M. Frankland, Secretary/Treasurer	0%
Current:	Donna Frankland, President	100%
	Leila Frankland, Secretary/Treasurer	0%

Before the Commission is a request for approval of a transfer of ownership in the retail establishment located at 215 S. Royal, Jackson, Tennessee 38301. No monies will be exchanged for this transfer between a wife and her husband. Robert Frankland holds a license for Barrel Wine & Spirits (permit #0752), also located in Jackson, Tennessee and with approval of this transfer will have less than the maximum fifty percent (50%) of the TABC retail licenses permitted by statute (TCA 57-3-406(a)) within the Jackson city jurisdiction. The TABC staff recommends approval of this request pending receipt of the following items:

- a. Copy of Newspaper Notice
- b. TABC Agent Report
- c. Acknowledgement of TABC Rules/Regulations

4. PARIS LIQUOR & WINE PARIS, TENNESSEE (HENRY COUNTY)

Applicant: Paris Liquor & Wine, LLC

Before the Commission is a request for approval of an expansion of the retail store located at 1417 Eastwood St., Paris, Tennessee 38242. Applicant, LLC is incorporating the space of their adjacent beer store into the retail business. The TABC staff recommends approval of this request conditioned upon receipt of the following:

- a. Certificate of Occupancy
- b. TABC Agent Inspection

5. CORKS WINE AND SPIRITS GERMANTOWN, TENNESSEE (SHELBY COUNTY)

Applicant: Bradley Cross, Sole Proprietor

Before the Commission is a request for licensing of a retail business to be located at 3078 Village Shops Drive, Germantown, Tennessee; 38138. Mr. Cross will finance the business using personal funds and a \$400,000 (0.38% rate) loan from his mother, Debbie Cross, as confirmed by TABC staff. The Applicant will lease the premises from BIC-MTS Partners based on an initial term of 15 years and 3 months for approximately \$8,000 per month. The TABC staff recommends conditional approval of this request pending receipt of the following items:

- a. TABC Inspection and Report
- b. Acknowledgement of TABC Rules & Regulations
- c. Certificate of Occupancy
- d. Tax Number
- e. License Fee

6. DOC'S WINE SPIRITS & MORE GERMANTOWN, TENNESSEE (SHELBY COUNTY)

Applicant:	Pamacorp, LLC	
Member(s):	Audrey M. Page, President	55%
	Altus Keith May	45%

Before the Commission is a request for licensing of the retail store to be located at 6685 Poplar Ave. #101, Germantown, Tennessee 38138. A total of \$770,000 (bank loan) will be invested into the business, as verified by the TABC staff. Applicant, LLC will lease the premises from Sheriff, LLC for

an initial five year term based on a monthly rental of \$12,000, to increase to \$13,500 by year three of the lease. The TABC staff recommends conditional approval of this application pending receipt of the following:

- a. TABC Agent Inspection
- b. Acknowledgement of TABC Rules & Regulations
- c. Certificate of Occupancy
- d. License Fee

**7. LIQUOR BARN
JOHNSON CITY, TENNESSEE (WASHINGTON COUNTY)**

Applicant: Libations2, LLC

Member(s): Peter J. Nickel, 100%

Before the Commission is a request for licensing of the retail store to be located at 2926 Boones Creek Rd., Johnson City, Tennessee. Applicant, LLC is purchasing the business from Boones Creek Beverage, Inc. (d/b/a The Liquor Barn), for \$150,000, plus inventory (valued at approximately \$370,000).² Applicant, LLC will finance the purchase with a \$500,000 line of credit, as verified by TABC staff. The Applicant will lease the premises from Allison Coven for an initial 5 year term for approximately \$3000 per month. Mr. Nickels also holds a license (#3478) for Plaza Package Store located at 4471 N. Roan St., Unit #2, Johnson City, Tennessee and with approval of this transfer applicant will have less than the maximum fifty percent (50%) of the TABC retail licenses permitted by statute (TCA 57-3-406(a)) within the Johnson City city jurisdiction. The TABC staff recommends conditional approval of this request pending receipt of the following:

- a. License Fee

**8. 12TH & PINE BEVERAGE COMPANY
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Vinspiration Holdings, LLC

Member(s): Virginia E. Fryer, President/Secretary, 100%

Before the Commission is a request for licensing of a retail business to be located at 315 12th Ave. S., Nashville, Tennessee. Ms. Fryer plans to invest \$50,000 into the business using a Home Equity Line of Credit. Applicant, LLC will lease the premises from Nashville Urban Partners 2010, LLC for an initial 5 year term for approximately \$4,000 per month. The TABC staff recommends conditional approval of this application pending receipt of the following:

- a. TABC Final Inspection
- b. Acknowledgment of TABC Rules & Regulations
- c. License Fee

**9. WEST NASHVILLE WINE AND LIQUOR
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Maddox Enterprises, LLC

Member(s):	Dan W. Maddox, President	50%
	James N. Maddox, Secretary	50%

Current DBA: M.E. Wine & Liquors

Proposed DBA: West Nashville Wine and Liquors

² In accordance with Tennessee law, Sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.

Applicant, LLC is requesting approval for a d/b/a name change of the retail store located at 6670 Charlotte Pike, Nashville, Tennessee. The TABC staff recommends approval of this request.

10. PROVIDENCE WINE & SPIRITS MT. JULIET, TENNESSEE (WILSON COUNTY)

Applicant: Providence Wines & Spirits, LLC

Before the Commission is a request for approval of an expansion of the retail store located at 1986 Providence West Boulevard, Nashville, Tennessee. The Applicant owns an adjoining beer store and plans to incorporate that area as part of the retail store. Applicant, LLC is leasing the premises from South Mt. Juliet Holdings, LLC –Series 12A. According to the amended lease, rent will be approximately \$7,000 monthly. The TABC staff recommends approval of this request pending receipt of the following items:

- a. Final Certificate of Occupancy after build-out
- b. TABC Inspection

11. PLANTATION FINE WINE AND SPIRITS GALLATIN, TENNESSEE (SUMNER COUNTY)

Applicant: Plantation Fine Wine and Spirits, Inc.
Shareholder(s): Rupal Amin, 100%

Current Licensee/Business Name: Bonita Parker, d/b/a Plantation Fine Wines & Spirits
Proposed Licensee/Business Name: Plantation Fine Wine and Spirits, Inc., d/b/a Plantation Fine Wine and Spirits (Rupal Amin, 100% Shareholder)

Before the Commission is a request for a transfer of ownership in the retail business located at 940 Memory Lane, Suite 101, Gallatin, Tennessee; 37066. This will be the second liquor store in Gallatin for Ms. Amin.³ With approval of this transfer Ms. Amin will have less than the maximum fifty percent (50%) of the TABC retail licenses permitted by statute (TCA 57-3-406(a)) within the Gallatin city jurisdiction. Ms. Amin is investing \$65,000 into the business and the applicant is also borrowing \$60,000 from Jay Ram, Inc. (at 5.5% interest per annum). The applicant has a separate loan for \$125,000 (6% interest per annum) from Mahendra Desai.

The Applicant plans to purchase the business through seller-financing (5.5% interest, for 5 years) from Bonita Parker for \$375,000 (plus approximately \$250,000 worth of inventory⁴). If approved by the Commission, Woods Commons Inc. will purchase the real property from Bonita Parker and Larry M. Parker (Trustee of the Steve M. Parker Family Trust) for \$1.6 million, and will lease the premises to the applicant for \$7,000 per month. The TABC staff recommends conditional approval of this application pending receipt of the following items:

- a. TABC Inspection
- b. Acknowledgement of TABC Rules & Regulations
- c. Deed
- d. Lease

B. Old Business

1. RIVERSTONE WINE & SPIRITS NASHVILLE, TENNESSEE (DAVIDSON COUNTY)

³ Ms. Rupal Amin also holds a license (#3662) for Liquor World, 136 N. Belvedere Dr., Gallatin, Tennessee.

⁴ In accordance with Tennessee law, Sellers are to transfer title and possession of the liquor inventory to the applicant via TABC licensed wholesalers' involvement.

Applicant: James Paul Little

This matter was continued from the September 2014 Commission Meeting, in order to allow for additional investigation. The TABC staff **does not recommend approval** of this application based on the information gathered during its investigation that is to be presented before the full commission.

3. WINERIES

A. New Business

1. BLUE SLIP WINERY KNOXVILLE, TENNESSEE (KNOX COUNTY)

Applicant: Blue Slip Winery LLC

Current:	Jeff Gaylon	45%	Proposed:	Linn Slocum	40%
	Linn Slocum	45%		Jess Gaylon	40%
	Marvin House	10%		Marvin House	10%
				The Southern Station of TN, LLC	10%

Before the Commission is a request for approval of a transfer of ownership in the business located at 300 W. Depot Street in Knoxville, Tennessee. If approved, 10% of the ownership interest would transfer to The Southern Station of TN, LLC. Its members are as follows: L. Slocum, 10%; J. Gaylon, 10%; M. House, 10%; and 6 non-voting members will hold 5% each. The TABC staff recommends approval of this request.

2. THE CROWN WINERY MEMPHIS, TENNESSEE (SHELBY COUNTY)

Applicant: The Crown Winery, LLC
Business Address: 3638 E. Mitchell Street, Humboldt, TN 38343

Applicant, LLC is requesting approval to operate a satellite facility at 410 S. Main St. in Memphis, Tennessee, as allowed under Public Chapter No. 1015, codified as T.C.A. § 57-3-207.⁵ Applicant, LLC plans to lease the premises for the satellite facility from Art Village Gallery for an initial term of one year, for \$750, payable per month. The TABC staff recommends approval of this application.

4. FARM WINERIES – None

5. WHOLESALERS

A. New Business

1. DET DISTRIBUTING COMPANY NASHVILLE, TENNESSEE (DAVIDSON COUNTY)

Applicant:	DET Distributing Company	
Shareholder(s):	George Fred Detwiller, President	100%
	Victoria A. Victory, Secretary/Treasurer	0%

⁵ Pursuant to Public Chapter No. 1015, “[a] winery [at its satellite location] may conduct any business that is authorized at the licensed winery, except for the manufacturing and bottling of wine.”

Before the Commission is a request for licensing of the business located at 301 Great Circle Road in Nashville, Tennessee. No funds will be invested as the business is already established. Mr. Dettwiller owns the premises where the distribution center is to be located and is leasing the premises to the Applicant for approximately \$44,000 per month. The TABC staff recommends approval of this request pending receipt of the following items:

- a. TABC Inspection
- b. Acknowledgement of TABC Rules & Regulations
- c. License Fee

2. STAR DISTRIBUTORS LLC MEMPHIS, TENNESSEE (SHELBY COUNTY)

Applicant: Star Distributors, LLC

Main Location: 6290 Shelby View Drive, Memphis, Tennessee

Before the Commission is a request for Applicant, LLC to store its products at 6423 Shelby View, Memphis, Tennessee. Applicant will lease the premises from Belz Devco GP for an initial 6 month term for \$5,000 per month. The TABC staff recommends conditional approval of this request, subject to issuance of an amended TTB Permit.⁶

3. CENTRAL DISTRIBUTORS, INC. JACKSON, TENNESSEE (MADISON COUNTY)

Applicant: Central Distributors, Inc.

Shareholder(s):	Volunteer Distributing, Inc.	15%
	Russel Clarkson	5%
	McWherter Holdings, Inc.	80%

Volunteer Distributing Co., Inc.

Michael McWherter,	50%
Clifford R. Gregory,	5%
Madelyn B. Pritchett,	0%
Estate of Ned McWherter,	44%

McWherter Holdings, Inc.

Michael R. McWherter	60%
Estate of Ned McWherter	2%
Ned R. McWherter Trust	38%

Before the Commission is a request for licensing of a wholesale business located at 361 HWY 45 BYP, Jackson, Tennessee 38302. Michael McWherter plans to invest \$50,000 of personal funds into the business. A lease is not required as the Applicant owns the real property. The TABC staff recommends conditional approval of this application pending receipt of the following:

- a. TABC Agent Report
- b. TABC Inspection
- c. Acknowledgement of TAB Rules & Regulations
- d. Credit Check
- e. Financial Disclosure Statement
- f. Waiver of Administrative Hearing
- g. License Fee
- h. Amended TTB Permit to Include Distilled Spirits

4. VOLUNTEER BEER DISTRIBUTING CO. DRESDEN, TENNESSEE (WEAKLEY COUNTY)

Applicant:	Volunteer Beer Distributing Co., Inc.	
Shareholders:	Michael R. McWherter, President	51%
	Clifford R. Gregory, General Manager	5%

⁶ 27 C.F.R. § 1.29 - An application for a basic permit must be filed, and permit issued, to cover each individual plant or premises where any of the businesses specified in section 103 of the Act is engaged in.

Madelyn B. Pritchett, Secretary	0%
Estate of Ned McWherter	44%

Before the Commission is a request for licensing of a wholesale business located at One Volunteer Place, Dresden, Tennessee 38225. Mr. McWherter will be investing \$25,000 of personal funds into the business. No lease is required as Applicant owns the property. The TABC staff recommends conditional approval of this application pending receipt of the following:

- a. TABC Agent Report
- b. TABC Agent Inspection
- c. Background Information
- d. Credit Check **OR** Individual Financial Disclosure Form **AND** Certified Accountant's Statement
- e. Certified Accountant's Statement
- f. Waiver of Administrative Hearing
- g. License Fee

B. Old Business

1. EVERSON COMPANIES, LLC MEMPHIS, TENNESSEE (SHELBY COUNTY)

Applicant: Everson Companies, LLC
Member(s): Peggy Everson

Before the Commission is a request for licensing of the wholesale business located at 468 N. Bellevue in Memphis, Tennessee. Applicant, LLC is leasing the premises from Corporate Air, Inc., for \$600.00 annually based on an initial one year term.

This matter was continued from the September 2014 Commission Meeting in order to allow Mr. David Everson the opportunity to resolve any disqualifying issues existing, if possible. The TABC staff had concerns with Mr. David Everson's eligibility to hold a license to sell alcoholic beverages at wholesale in Tennessee. Mr. Everson is employed as an accountant for the Shelby County Government. Pursuant to T.C.A. 57-3-210(b)(1)⁷ - no wholesaler's or retailer's license shall be issued to a person who is a holder of a public office. However, Mr. Everson transferred his interest to wife, Peggy Everson, to resolve this conflict. Mrs. Everson has provided the TABC staff with all additional documentation required, and the TABC staff recommends approval of this request.

6. DISTILLERIES

A. New Business

1. THUNDER ROAD DISTILELRY KODAK, TENNESSEE (SEVIER COUNTY)

Applicant:	Dumplin Creek Distillery, LLC	
Members:	Blalock Capital, LLC	80%
	Lori J. Gettelfinger	20%
	C. Kent Merritt, President	0%

⁷ Tenn. Code Ann. §57-3-210(b)(1)- No wholesaler's or retailer's license shall be issued to a person who is a holder of a public office, either appointive or elective, or who is a public employee, either national, state, city or county. It is unlawful for any such person to have any interest in such wholesale or retail business, directly or indirectly, either proprietary or by means of any loan, mortgage, or lien, or to participate in the profits of any such business;

Before the Commission is a request for licensing of a distillery to be located at 3605 Outdoor Sportsman's Place, Suite A in Kodak, Tennessee; 37764. Jonelda Blalock, sole member of Blalock Capital, LLC, is investing \$500,000 of personal savings into the business. Applicant, LLC will lease the premises from Pro Shops, LLC for an initial 5 year term, with a monthly rent of approximately \$9,000 (years 1-3) and \$10,000 (years 4-5). The TABC staff recommends conditional approval of this application pending receipt of the following:

- a. Certificate of Occupancy
- b. TABC Inspection
- c. Acknowledgement of TABC Rules & Regulations
- d. License Fee

7. PRIVATE CLUBS - None

8. BUDGET

9. PENDING MATTERS LIST

10. PERSONNEL

11. DATE OF NEXT MEETING – November 18, 2014

12. UPCOMING MEETING DATES

- November 18, 2014
- December 16, 2014